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AUTHOR Reifsnyder, Betsy
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ABSTRACT

Arranged in three sections, this paper summarizes Congressional action pertaining to the proposed Equal Rights Amendment (ERA) from the bill's introduction in 1969 to its defeat in 1982. Part 1, an introduction, provides a brief overview of the legislative process and explains how to obtain cited publications for further reference. Part 2 includes a copy of the text of the ERA and a chronological outline of the major actions of the 91st, 92nd, and 95th Congresses relating to the amendment. These Congressional sessions, covering the years 1969/70, 1971/72, and 1977/78 respectively, are each subdivided into separate outlines of Hous and Senate activity. A flowchart is included on each session to provide visual impressions of complicated ERA-related activity. Paragraph summaries and a map of the final state ratification situation are also provided. The final part (appendices) contains a list of abbreviations and indexes of congresspersons and congressional legislation referred to in this paper. (LP)

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A LEGISLATIVE HISTORY OF THE EQUAL RIGHTS AMENDMENT IN THE UNITED STATES CONGRESS

Betsy Reifsnyder
Syracuse University

November 1982

SO 015 327

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INTRODUCTION

The proposed 27th amendment to the United States Constitution, known as the Equal Rights Amendment or ERA, reached its second ratification deadline on June 30, 1982 without the requisite number of state ratifications to ensure its addition to the Constitution. The Equal Rights Amendment has since been reintroduced in the U.S. Congress and the process of ratification is about to begin anew. A legislative history of the Equal Rights Amendment is presented in this paper for those who want to know what happened to the ERA the last time around.

The paper concentrates on ERA action in Congress. Ratification in the state legislatures and the involvement of the Supreme Court with the proposed 27th Constitutional amendment are only briefly mentioned. In addition, the paper summarizes only the most important events of ERA's progression through Congress. Sources of further information, particularly government documents and other publications dealing with Congressional actions, are cited for those who wish to know more about particular areas.

The paper is divided into three sections:

i. An introduction provides a brief overview of the legislative process and explains how to obtain cited publications for further reference.

ii. The legislative history itself is of three types. Major Congressional actions are presented in outline form for the 91st, 92nd and 95th Congresses. It should be noted that each Congress lasts two calendar years and is divided into two sessions, each one year long. Thus the 91st, 92nd and 95th Congresses refer to years 1969/1970, 1971/1972 and 1977/1978 respectively. House and Senate actions in the legislative history are outlined separately in chronological order. Because the passage of legislation can be a complicated affair, three flowcharts are included in the legislative history to provide visual impressions of ERA activity in the 91st, 92nd and 95th Congresses. Paragraph summaries to fill in any missing time spans and a map showing the final state ratification situation are also provided.

iii. A list of abbreviations, and two indexes for Congresspersons and joint resolution or resolution numbers used throughout the paper are appended.

THE LEGISLATIVE PROCESS

A brief summary of the usual process by which an amendment is adopted to the U.S. Constitution is provided as a means of comparison for the ERA legislative history. Legislation can be introduced as either a bill or a joint resolution. Both items follow a similar path through Congress but Constitutional amendments are always introduced as joint resolutions. One other type of resolution should be noted, i.e., the simple resolution which is used for procedural matters only.

Constitutional amendments can begin in either the House or the Senate where the joint resolution is given an identification number and assigned to a committee concerned with the subject area of the proposed amendment. It should be noted that any number of joint resolutions on the same subject can be introduced. These are known as companion resolutions. Joint resolutions concerned with the same Constitutional amendment can also be introduced in the House and the Senate at the same time.

Assuming, however, that a joint resolution has been introduced in the House, a House committee or subcommittee will be the first to consider the proposal. Hearings may be held, the joint resolution may be amended or rewritten, or the proposed amendment may be stopped in committee simply by the fact that the committee takes no action on it. Proceedings of committee or subcommittee hearings are published and provide useful sources of information on a piece of legislation and its support and opposition.

If the committee approves a joint resolution, it issues a report and the joint resolution is placed on the calendar. This means it will be considered by the full House. Committee reports are also good sources of information on legislation.

The joint resolution moves to the Rules Committee, which can expedite or block its passage, and finally to the floor of the House where it is debated. Records of debate are also published. At this stage, the joint resolution can be amended, rejected or approved. In the case of a Constitutional amendment, a two-thirds rather than a simple majority is required for approval.

Following approval by the House, the joint resolution is sent to the Senate where the same procedure is followed. If the House and Senate pass two different versions of a joint resolution, it is sent to a Conference Committee where differences are to be reconciled. Again the joint resolution could be blocked at this stage. Assuming agreement is reached, the revised joint resolution is returned for approval to both the House and Senate.

When a Constitutional amendment in the form of a joint resolution is passed by both the House and the Senate in the same form, it is sent to the state legislatures. Constitutional amendments do not require the President's signature. After ratification by the legislatures of three-fourths of the states, the amendment is added to the U.S. Constitution.

It will be seen in the course of this legislative history that the Equal Rights Amendment did not follow the usual path through Congress. For example, both the Senate and the House Judiciary Committees, who would usually consider proposed Constitutional amendments, were bypassed in different stages of the process. In addition, once the ERA had left Congress and was in the process of consideration in the state legislatures, a separate piece of Congressional legislation was introduced to extend the ratification deadline already noted in the proposed amendment.

CITATIONS AND DOCUMENT LOCATION

This paper cites a number of different types of government or government-related publications in the notes at the end of the legislative history. An example of the citation forms used for each publication is provided below.

The primary aim of each citation is to include sufficient information to enable the reader to locate the publication in a library. The best libraries to use for this purpose are depository libraries, which are designated in each state to receive federal documents. In the absence of a depository library in the nearby vicinity, some of the documents cited should be available on interlibrary loan. Alternative means of location are also provided where it is felt they might be useful. If any problems are experienced in the search for a publication, ask a librarian for help.

Congressional Information Service (CIS)/Index
Washington, D.C.: Congressional Information Service, Inc.

This publication is cited as CIS throughout the paper. CIS is a commercially-produced publication which indexes and abstracts Congressional publications including committee hearings and reports. In addition a CIS/Microfiche Library provides microfiche copies of the full text of Congressional documents. CIS is not cited singly in this paper, but rather as a source of summaries of Congressional committee hearings and reports. See sample hearings and report citations below for explanation of use. CIS should be located in larger libraries.

Congressional Quarterly (CQ) Almanac
Congressional Quarterly (CQ) Weekly Report
Washington, D.C.: Congressional Quarterly, Inc.

Both of the above publications are cited as CQ throughout the paper. Use of the Almanac predominates and a special note is added if the Weekly Report is cited. CQ is a well-indexed summary of Congressional action, the political process, and lobbying efforts. It is commercially produced and has included various essays on ERA since 1970. An example of a CQ citation follows:

CQ 1970 pp. 706-709.
/ \
Date of Annual Volume Page Numbers

CQ is also cited as a summary of hearings and committee reports. CQ should be located in larger libraries.

United States. Congress. Congressional Record
Washington, D.C.: U.S. Government Printing Office.

This publication is cited as CR throughout the paper. CR is unbound for recent years and has bound older editions. References to CR are to the bound edition unless otherwise noted. CR is a daily record of Congressional actions. An example of a CR citation follows:

		Session Number		Part Number	
CR	91st Cong.	2nd sess.	vol. 115	pt. 4	p. 4831.
	Number of the Congress		Volume Number		Page Number(s)

Full records of Congressional actions are located in CR. However, because of the sheer volume of CR it will often be easier to read summaries of Congressional action in commercially-produced publications. Thus this paper will cite CQ in preference to CR for Congressional actions such as debates on the floor of the House and Senate. If the full text of a debate is preferred, it can be located in CR using the indexes by legislation number or by subject. Consult a librarian for help with this procedure if necessary. CR should be found in most libraries.

Congressional Committee or Subcommittee Hearings

Many libraries keep hearings in order by committee and then by title. Libraries subscribing to the CIS/Microfiche Library will also have the hearings on microfiche in order by CIS number. Paper copies of hearings can be purchased from the U.S. Government Printing Office (GPO) if required. Use the following address: U.S. Government Printing Office, Washington, D.C. 20401. When ordering, quote the SuDoc and stock numbers and enclose price. GPO's telephone number is (202) 275-2051. In addition a Congressperson will occasionally supply paper copies of a hearing to a constituent free of charge. A sample citation for a Congressional committee or subcommittee hearing follows. The citation is expanded to provide explanations of its different parts.

Sample Citation - Congressional Committee or Subcommittee Hearings

United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Civil and Constitutional Rights. ——— Author

Equal Rights Amendment Extension: Hearings to Consider H J Res 638, to Extend the Ratification Period for the Proposed Equal Rights Amendment to March 22, 1986 ——— Title

95th Cong. ——— Number of the Congress

1st and 2nd sess. ——— Session Number(s)

1,4,8 November 1977 and 17-19 May 1978. ——— Date of Hearings

Washington, D.C.: U.S. Government Printing Office. ——— Publisher

Item 1020. ——— The item number is used by depository libraries to acquire federal documents.

SuDoc Y4.J8911:95-41. ——— The Superintendent of Documents number is used to order the hearings from GPO.

Stock 052-070-04626-1. ——— The stock number is also used to order the hearings from GPO.

MC 78-26830. ——— This number is used in the Monthly Catalog index of government publications. 78 refers to the year.

Comm. Serial 41. ——— The Congressional committee serial number is not generally used for ordering or locating publications.

Price: $4.50. Enclose with order.

Summarized:

CIS 1978 H521-27. ——— The CIS number will locate a detailed summary of the hearings in the CIS/Index or the full text of the hearings on microfiche in the CIS/Microfiche Library. H in this case refers to House.

CQ 1978 pp. 773-776. ——— The CQ number will locate an essay on the issue, as considered by a particular Congress. A summary of the hearings will be part of this essay. The CQ summary is not as detailed as the CIS summary.

Congressional Committee Reports

The committee reports cited in this paper are all located in bound volumes of the Serial Set, published by the U.S. Government Printing Office. The Serial Set should be located in larger libraries. Alternatively a Congressperson will occasionally supply committee reports to a constituent free of charge. A sample citation for a Congressional committee report follows. The citation is expanded to provide explanations of its different parts.

Sample Citation - Congressional Committee Report

United States. Congress. Senate. Committee on the Judiciary. — Author

Report to Accompany S J Res 8, S J Res 9, H J Res 208, Joint Resolutions Proposing an Amendment to the Constitution Relative to Equal Rights for Men and Women. — Title

S Rept 92-689. — Senate Report Number

92nd Cong. — Number of the Congress

1st sess. — Session Number

14 July 1971. — Date of Report

Washington, D.C.: U.S. Government Printing Office. — Publisher

Item 1008-A. — The item number is used by depository libraries to acquire federal documents.

Serial 12971-1. — The Serial or Serial Set number will locate the bound volume in which the report is printed. Reports are in order numerically within the bound volume.

Summarized:
CIS 1972 S523-8. — The CIS number will locate a detailed summary of the committee report in the CIS/Index or the full text of the report on microfiche in the CIS/Microfiche Library. S in this case refers to Senate.

CQ 1972 pp. 199-202. — The CQ number will locate an essay on the issue, as considered by a particular Congress. A summary of the report will be part of this essay.

LEGISLATIVE HISTORY OF THE EQUAL RIGHTS AMENDMENT

An equal rights amendment was first introduced to Congress in 1923, three years after the passage of the 19th amendment giving women the right to vote. The Equal Rights Amendment was not approved by Congress until many years later, despite the fact that it was introduced in both Houses in nearly every session of Congress from 1923 to 1968. Action was taken on the proposed amendment in 1950, 1953 and 1960 when the Senate passed an amended version which retained benefits or exemptions conferred on women by state or federal law. However, since the House took no action on the amended versions, the Equal Rights Amendment had not emerged from Congress by the end of 1968. The text of the proposed Equal Rights Amendment and an outline of major action on ERA in the 91st and 92nd Congresses follows.[1]

Text of the Proposed Equal Rights Amendment

The following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-quarters of the several States within seven years from the date of its submission by the Congress:

Article-

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

The text above is referred to in this legislative history as "the ERA" to distinguish it from amended versions which will be noted where necessary.

Major House Action on ERA - 91st Congress (1969/1970)[2]

Summary - ERA Adopted

January 16, 1969
H J Res 264 (the ERA) introduced by Martha W. Griffiths (D MI).
Referred to House Judiciary Committee.[3]
Note: Emanuel Celler (D NY), as chairperson of the House Judiciary Committee, had refused to hold hearings on the ERA since 1948.

June 11, 1970
Petition introduced by Griffiths to bring H J Res 264 to floor of the House without prior committee consideration.
Note: Action based on rarely-used parliamentary rule known as a discharge petition, which requires support of a two-thirds majority in the House. Used to break Celler's deadlock on the ERA.

July 20, 1970
Necessary support for discharge petition obtained.

August 10, 1970
House debate on H J Res 264. Support led by Martha W. Griffiths (D MI). Opposition led by Emanuel Celler (D NY). H J Res 264 adopted by vote of 352 to 15.[4]

Major Senate Action on ERA - 91st Congress (1969/1970)[5]
Summary - Did Not Complete Action on ERA

February 28, 1969
S J Res 61 (companion resolution to H J Res 264, introduced in the House January 16, 1969) introduced by Eugene J. McCarthy (D MN) and other cosponsors. Referred to Senate Judiciary Committee.[6]

May 5-7, 1970
Hearings on S J Res 61 by Senate Judiciary Subcommittee on Constitutional Amendments.[7] Major support from National Organization for Women (NOW). Major opposition from AFL-CIO, based on desire for protective labor legislation. Subcommittee ordered S J Res 61 to be favorably reported to full Senate Judiciary Committee but no report issued.

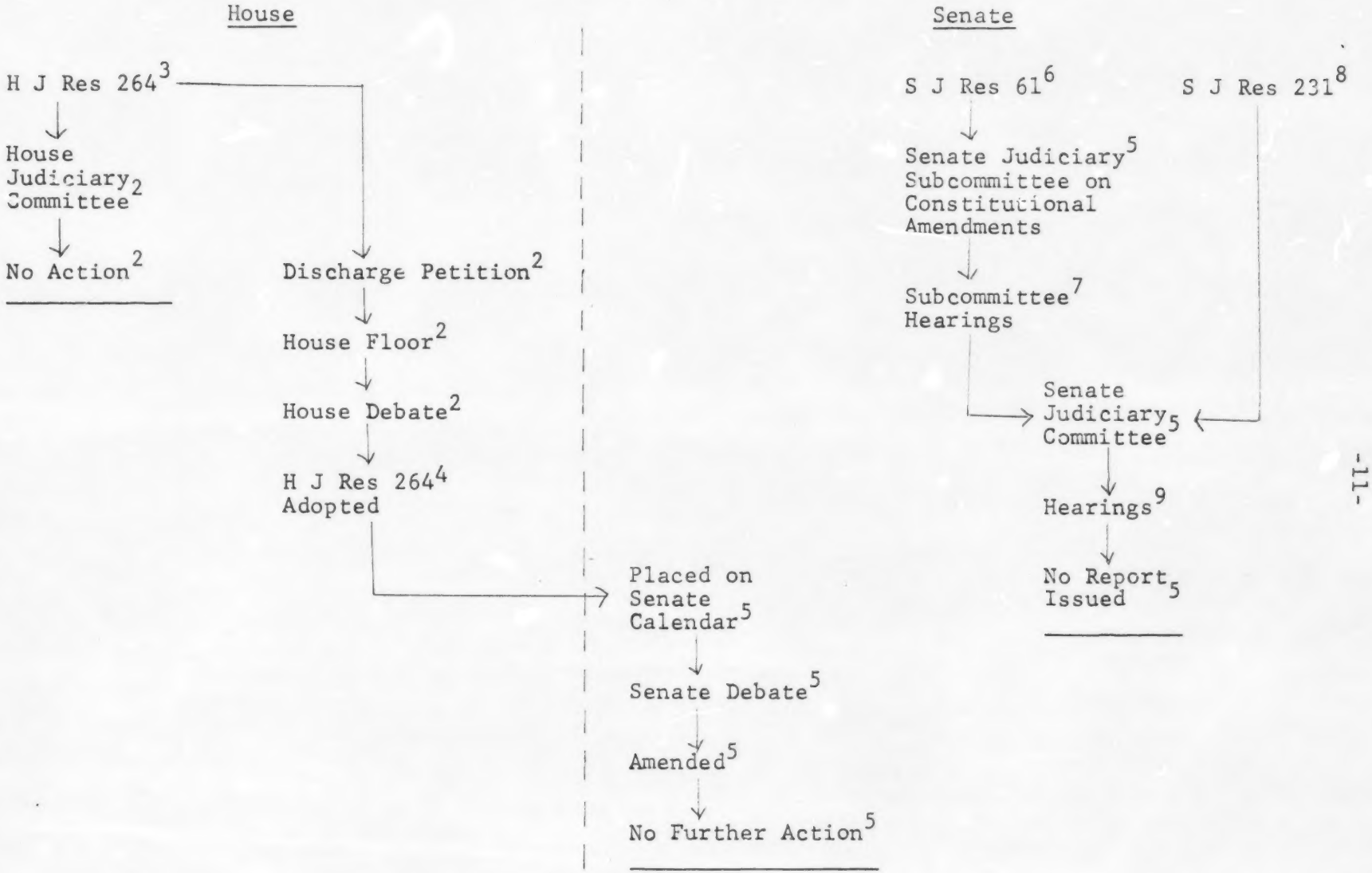
August 11, 1970
H J Res 264 (adopted by the House on August 10th) placed on Senate calendar, bypassing Senate Judiciary Committee.

August 19, 1970
S J Res 231 (a substitute ERA which retained all state protective legislation and exempted women from the draft) introduced by Sam J. Ervin, Jr. (D NC). Referred to Senate Judiciary Committee.[8]

September 9-11 and 15, 1970
Hearings[9] on S J Res 61 and S J Res 231 by full Senate Judiciary Committee. Major opposition from various unions based on desire for protective labor legislation and from two university law professors, who found the ERA overly broad and ambiguous. No report issued.

October 7, 12 and 13, 1970
Senate debate on H J Res 264 (adopted by the House on August 10th). Support led by Birch Bayh (D IN). Opposition led by Sam J. Ervin, Jr. (D NC). Three amendments proposed. Rider on school desegregation not adopted. Rider on nondenominational prayer in schools, proposed by Howard H. Baker, Jr. (R TN), was adopted. Amendment exempting women from the draft, proposed by Ervin, was also adopted.
Note: The addition of amendments to H J Res 264 nullified its original intent and would have necessitated a joint committee conference. Emanuel Celler (D NY), as the head of the House conferees, would have had the opportunity to kill H J Res 264. The Senate adjourned without coming to a vote on H J Res 264, which killed it anyway.

ERA IN THE 91ST CONGRESS (1969/1970) - MAJOR CONGRESSIONAL ACTION



Superscripts refer to notes at end of legislative history.

Major House Action on ERA - 92nd Congress (1971/1972)[10]

Summary - ERA Adopted

January 26, 1971
H J Res 208 (the ERA) introduced by Martha W. Griffiths (D MI). Referred to House Judiciary Committee.[11]

March 24, 25 and 31 and April 1, 2 and 5, 1971
Hearings on H J Res 208 by House Judiciary Subcommittee No. 4.[12] Major support from the American Civil Liberties Union and the National Association of Women Lawyers. Major opposition from Senator Sam J. Ervin, Jr. (D NC) and the AFL-CIO. H J Res 208 reported favorably out of subcommittee. Recommended that it be brought to the floor without any amendments.

June 22, 1971
Two amendments added to H J Res 208 by the full House Judiciary Committee. Amendments proposed by Charles E. Wiggins (R CA). The words "of any person" added to H J Res 208 to prevent a distinction between the rights of citizens and noncitizens. Second amendment exempted women from the draft and retained protective labor legislation. Favorable report issued on H J Res 208 as amended.[13] Fifteen committee members supported original language of H J Res 208 and signed separate views in the report. H J Res 208 as amended proceeded through House Rules Committee to the floor of the House. Note: The adoption of Wiggins' second amendment nullified the original intent of H J Res 208.

October 12, 1971
House debate on H J Res 208 as amended. Support for amendments led by Charles E. Wiggins (R, CA) and Emanuel Celler (D, NY). Opposition to amendments led by Don Edwards (D CA), Bella Abzug (D NY) and Martha W. Griffiths (D MI). Both amendments rejected. Original H J Res 208 adopted by vote of 354 to 24.[14]

Major Senate Action on ERA - 92nd Congress (1971/1972)[15]

Summary - Did Not Complete Action on ERA

August 6, 1971
S J Res 150 (companion resolution to H J Res 208, introduced in the House on January 26th) introduced by Birch Bayh (D IN) and other cosponsors. Placed directly on Senate calendar, bypassing Senate Judiciary Committee.[16] Later action postponed until 1972, due in part to illness of Bayh's wife. No further action taken on SJ Res 150.

October 13, 1971
H J Res 208 (adopted by the House on October 12th) sent to Senate Judiciary Committee and considered first by Senate Judiciary Subcommittee on Constitutional Amendments. Subcommittee adopted an amendment to H J Res 208 which allowed legal distinctions based on physiological differences. H J Res 208 as amended reported favorably out of subcommittee.

February 29, 1972
Amendment to H J Res 208 rejected by full Senate Judiciary Committee. Also rejected other proposed amendments to allow legal distinctions between men and women, to disallow any effect on the 5th or 14th Amendments, to allow higher educucational institutions to remain single-sex schools, and to exempt women from the draft. Favorable report issued on H J Res 208 without any amendments. Sam J. Ervin, Jr. (D NC) and Hiram L. Fong (R HI) signed [17] separate views in the report. H J Res 208 proceeded through Senate Rules Committee to the floor of the Senate.

March 17, 20, 21 and 22, 1972
Senate debate on H J Res 208. Support led by Birch Bayh (D IN). Opposition led by Sam J. Ervin, Jr. (D NC), who proposed nine floor amendments. These were to:
(1) exempt women from "compulsory military service,"
(2) exempt women from "service in combat units,"
(3) retain protective legislation for women,
(4) retain protective legislation for "wives, mothers, or widows,"
(5) retain child support requirements for fathers,
(6) retain laws which require privacy for the sexes,
(7) retain criminal laws regarding sexual offenses,
(8) allow legal distinctions based on "physiological or functional differences," and
(9) offer states the alternative of accepting H J Res 208 unamended or amended to exempt women from the draft and to retain protective legislation.

All proposed amendments rejected.

March 22, 1972
H J Res 208 adopted by vote of 84 to 8.[18]

March 23, 1972
H J Res 208 examined and signed by the Speaker of the House[19] and the Speaker of the Senate.[20]

ERA IN THE 92ND CONGRESS (1971/1972) - MAJOR CONGRESSIONAL ACTION

House

H J Res 208[11]
↓
House Judiciary Subcommittee No. 4[10]
↓
Hearings[12]
↓
House Judiciary Committee[10]
↓
Amended[10]
↓
Reported as Amended[13]
↓
House Rules Committee[10]
↓
House Debate[10]
↓
Amendments Rejected[10]
↓
H J Res 208 Adopted[14]

Senate

S J Res 150[16]
↓
Senate Calendar[15]
↓
No Further Action[15]

→ Senate Judiciary Subcommittee[15] on Constitutional Amendments
↓
Amended[15]
↓
Senate Judiciary Committee[15]
↓
Amendments Rejected[15]
↓
Reported[17]
↓
Senate Rules Committee[15]
↓
Senate Debate[15]
↓
H J 208 Adopted[18]
↓
ERA, Proposed 27th Amendment to the Constitution, Signed by Speakers of House[19] and Senate[20]

Superscripts refer to notes at end of legislative history.

After adoption by both Houses of Congress, the proposed 27th amendment to the U.S. Constitution was sent to the states for ratification with a deadline of March 22, 1979. By early 1978, only 35 of the required 38 states had ratified the ERA. Groups such as the National Organization for Women (NOW) began a major lobbying effort for an extension of the ratification deadline. Legislation to this effect was introduced in the 95th Congress.

Major House Action on ERA - 95th Congress (1977/1978)[21]
Summary - ERA Ratification Extension Adopted

October 26, 1977
H J Res 638 (to extend the ERA ratification deadline by seven years) introduced by Elizabeth Holtzman (D NY). Referred to House Judiciary Committee.[22]

November 1, 4 and 8, 1977 and May 17-19, 1978
Hearings on H J Res 638 by House Judiciary Subcommittee on Civil and Constitutional Rights.[23] Major support from NOW. Major opposition from Phyllis Schafly. H J Res 638 reported favorably out of subcommittee.

July 18, 1978
Three amendments proposed for addition to H J Res 638 in full House Judiciary Committee. Amendment proposed by Tom Railsback (R IL) to allow states to rescind ratifications. Amendment rejected. Amendment proposed by M. Caldwell Butler (R VA) regarding necessity for two-thirds rather than simple voting majority in the House for H J Res 638. Amendment rejected. Amendment proposed by Don Edwards (D CA) to reduce ratification extension from 7 years to 3 years, 3 months and 8 days. Amendment adopted. Favorable report issued on H J Res 638 as amended.[24] H J Res 638 proceeded through House Rules Committee to floor of the House.
Note: The Edwards amendment was a compromise measure to win votes for H J Res 638. The Butler amendment highlighted a particular concern in the Congress that an extension for ratification of a Constitutional amendment should have to be approved by a two-thirds majority in the same way as an amendment itself.

August 15, 1978
House debate on H J Res 638 as amended. Further amendment proposed by Tom Railsback (R IL) to allow states to rescind earlier ratifications. Amendment rejected. H Res 1295 allowing passage of H J Res 638 by simple rather than two-thirds majority adopted. H Res 1315 requiring two-thirds approval vote not adopted. H J Res 638 adopted as amended by vote of 233 to 189.[25]

Major Senate Action on ERA - 95th Congress (1977-1978)[26]
Summary - ERA Ratification Extension Adopted

May 17, 1978
S J Res 134 (companion resolution to H J Res 638, introduced in the House October 26, 1977) introduced by Birch Bayh (D IN) and cosponsors. Referred to Senate Judiciary Committee.[27]

August 2-4, 1978
Hearings on S J Res 134 by Senate Judiciary Subcommittee on Constitutional Amendments.[28] Major support from National Women's Political Caucus, National Council of Negro Women and AFL-CIO. Major opposition from Catholic Daughters of America, Southern Baptist Convention, Union of Orthodox Jewish Congregations and Young Americans for Freedom. No further action on S J Res 134.

August 16, 1978
Proposal by Birch Bayh (D IN) to place H J Res 638 (adopted as amended by the House on August 15th) on the Senate calendar.[29]
Note: This was done to bypass the Senate Judiciary Committee.

September 23, 1978
H J Res 638, as amended, placed on Senate calendar.[30]

October 3 and 4, 1978
Senate debate on H J Res 638, as amended in House. Support led by Birch Bayh (D IN). Opposition led by Bill Scott (R VA) and Jake Garn (R UT). Various amendments proposed dealing with rescinding of ratifications and requiring a two-thirds majority vote for H J Res 638. All amendments rejected.

October 6, 1978
H J Res 638, as amended in House, adopted by vote of 60 to 36.[31]

October 11, 1978
H J Res 638, as amended, examined and signed by the Speaker of the House and the Speaker of the Senate.[32]

October 20, 1978
H J Res 638, as amended, signed by the President,[26] even though his approval not required.[32]

ERA RATIFICATION EXTENSION IN THE 95TH CONGRESS (1977/1978) - MAJOR CONGRESSIONAL ACTION

House

H J Res 638[22]

↓

House Judiciary Subcommittee on Civil and Constitutional Rights[21]

↓

Hearings[23]

↓

House Judiciary Committee[21]

↓

Amended[21]

↓

Reported[24]

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House Rules Committee[21]

↓

House Debate[21]

↓

H J Res 208 Adopted[25] as Amended

→

Senate

S J Res 134[27]

↓

Senate Judiciary[27] Committee

↓

Hearings[28]

↓

No Further Action

Placed on Senate Calendar[29, 30]

↓

Senate Debate[26]

↓

H J Res 208 Adopted[31] As Amended in House

↓

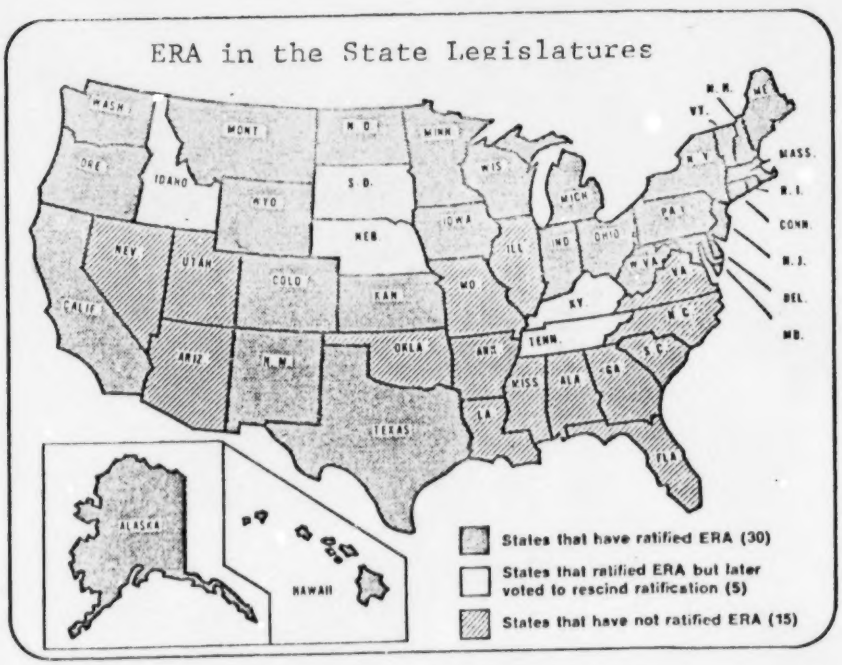
Signed by Speakers of House[32] and Senate

↓

Signed by President[26]

Superscripts refer to notes at end of legislative history.

The ratification period for the 27th amendment to the U.S. Constitution was extended by 39 months until June 30, 1982, in the 95th Congress. Three further states were originally needed for adoption of the amendment to the Constitution but five states also voted to rescind their earlier ratifications. The Supreme Court agreed to resolve the Constitutional issue as to whether Congress exceeded its power in extending the ERA ratification deadline and whether states may rescind approval of an amendment. However this decision will no longer have an effect on the ERA as the deadline for its passage has gone by without the necessary ratifications by three additional states. A map of the United States shows the final status of the ERA in the states on June 30, 1982: [33]



A new Equal Rights Amendment has already been reintroduced in Congress. On July 14, 1982, H J Res 533[34] and S J Res 213[35] were introduced in the House and the Senate respectively and sent to their respective Judiciary committees. Both of these joint resolutions have the same wording as the proposed Equal Rights Amendment approved by Congress in 1972. No action has yet been taken on the joint resolutions and none is expected before the end of 1982.

The major opposition to ERA in Congress in the early 1970's focused on the issues of the military draft and protective labor legislation for women. It remains to be seen which issues will affect the progress of the Equal Rights Amendment throughout the 1980's.

NOTES

1. This background summary is based on an introductory essay located in Anita Miller's The Equal Rights Amendment: A Bibliographic Study, published by the Greenwood Press of Westport, Connecticut in 1976. The book is recommended for more detailed information on the social and legislative history of ERA and also for its comprehensive listing of Congressional and other publications dealing with ERA from 1923 to 1976.

2. Summary information on the ERA in the 91st Congress is based on CQ 1970 pp. 706-709.

3. CR 91st Cong. 1st sess. vol. 115 pt. 1 p. 1144.

4. CR 91st Cong. 2nd sess. vol. 116 pt. 21 p. 28037.

5. Summary information on the ERA in the 91st Congress is based on CQ 1970 pp. 706-709.

6. CR 91st Cong. 1st sess. vol. 115 pt. 4 p. 4831.

7. United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Constitutional Amendments.
The "Equal Rights" Amendment: Hearings on S J Res 61 to Amend the Constitution so as to Provide Equal Rights for Men and Women. 91st Cong. 2nd sess. 5-7 May 1970.
Washington, D.C.: U. S. Government Printing Office.
Item 1042. SuDoc Y4.J89/2:Eq2/6/970. Stock (Unknown).
MC 70-13746. Price: $3.25.
Summarized: CIS 1970 S521-35.
CQ 1970 pp. 706-709.

8. CR 91st Cong. 2nd sess. vol. 116 pt. 22 p. 29464.

9. United States. Congress. Senate. Committee on the Judiciary.
Equal Rights 1970: Hearings on S J Res 61 and S J Res 231, Proposing an Amendment to the United States Constitution Relative to Equal Rights for Men and Women.
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MC 70-16067. Price: $1.75.
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CQ 1970 pp. 706-709.

10. Summary information on the ERA in the 92nd Congress is based on CQ 1971 pp. 656-658 and CQ 1972 pp. 199-202.

See pages 4 to 7 for sample citations and explanation of how to locate documents cited.

11. CR 92nd Cong. 1st sess. vol. 117. pt. 1 p. 526.

12. United States. Congress. House. Committee on the Judiciary. Subcommittee No. 4.
Equal Rights for Men and Women 1971: Hearings on H J Res 35, 208, and Related Bills, Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Women. 92nd Cong. 1st sess. 24, 25, 31 March and 1, 2, 5 April 1971.
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MC 71-10698. Comm. Serial 2. Price: (Unknown).
Summarized: CIS 1971 H521-3.
CQ 1971 pp. 656-658.

13. United States. Congress. House. Committee on the Judiciary. Report to Accompany H J Res 208, Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women.
H Rept 92-359. 92nd Cong. 1st sess. 14 July 1971.
Washington, D.C.: U.S. Government Printing Office.
Item 1008-A. Serial 12932-3.
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CQ 1971 pp. 656-658.

14. CR 92nd Cong. 1st sess. vol. 117 pt. 27 p. 35815.

15. Summary information on the ERA in the 92nd Congress is based on CQ 1971 pp. 656-658 and CQ 1972 pp. 199-202.

16. CR 92nd Cong. 1st sess. vol. 117 pt. 23 pp. 30219, 30889.

17. United States. Congress. Senate. Committee on the Judiciary. Report to Accompany S J Res 8, S J Res 9, H J Res 208, Joint Resolutions Proposing an Amendment to the Constitution Relative to Equal Rights for Men and Women.
S Rept 92-689. 92nd Cong. 2nd sess. 14 March 1972.
Washington, D.C.: U.S. Government Printing Office.
Item 1008-A Serial 12971-1.
Summarized: CIS 1972 S523-8.
CQ 1972 pp. 199-202.

18. CR 92nd Cong. 2nd sess. vol. 118 pt. 8 p. 9598.

19. CR 92nd Cong. 2nd sess. vol. 118 pt. 8 p. 9809.

20. CR 92nd Cong. 2nd sess. vol. 118 pt. 8 p. 9907.

21. Summary information on the extension of the ERA ratification date in the 95th Congress is based on CQ 1978 pp. 773-776.

See pages 4 to 7 for sample citations and explanation of how to locate documents cited.

22. CR 95th Cong. 1st sess. vol. 123 pt. 27 p. 35342.

23. United States. Congress. House. Committee on the Judiciary. Subcommittee on Civil and Constitutional Rights.
Equal Rights Amendment Extension: Hearings to Consider H J Res 638, to Extend the Ratification Period for the Proposed Equal Rights Amendment to March 22, 1986.
95th Cong. 1st and 2nd sess. 1, 4, 8 November 1977 and 17-19 May 1978.
Washington, D.C.: U.S. Government Printing Office.
Item 1020. SuDoc Y4.J89/1:95-41. Stock 052-070-04626-1.
MC 78-26830. Comm. Serial 41. Price: $4.50.
Summarized: CIS 1978 H521-27.
CQ 1978 pp. 773-776.

24. United States. Congress. House. Committee on the Judiciary.
Proposed Equal Rights Amendment Extension.
H Rept 95-1405. 95th Cong. 2nd sess. 1 August 1978.
Washington, D.C.: U.S. Government Printing Office.
Item 1008-A. Serial 13201-10.
Summarized: CIS 1978 H523-15.
CQ 1978 pp. 773-776.

25. CR 95th Cong. 2nd sess. vol. 124 pt. 19 p. 26264.

26. Summary information on the extension of the ERA ratification date in the 95th Congress is based on CQ 1978 pp. 773-776.

27. CR 95th Cong. 2nd sess. vol. 124 pt. 11 p. 14057.

28. United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Constitutional Amendments.
Equal Rights Amendment Extension.
95th Cong. 2nd sess. 2-4 August 1978.
Washington, D.C.: U.S. Government Printing Office.
Item 1042. SuDoc Y4.J89/2:Eq2/7. Stock 052-070-04873-5.
MC 79-12392. Price: $6.25.
Summarized: CIS 1979 S521-32.
Not in CQ.

29. CR 95th Cong. 2nd sess. vol. 124 pt. 20 p. 26393.

30. CR 95th Cong. 2nd sess. vol. 124 pt. 23 p. 31103.

31. CR 95th Cong. 2nd sess. vol. 124 pt. 25 p. 34315.

32. CR 95th Cong. 2nd sess. vol. 124 pt. 28 p. 37834.

See pages 4 to 7 for sample citations and explanation of how to locate documents cited.

33. This map and the summary of ERA's history since the extension of its ratification deadline are taken from the Weekly Report edition of CQ. Pages 159 and 160 of the January 30, 1982 issue contain a special CQ report on the ERA.

34. CR (unbound edition) 97th Cong. 2nd sess. vol. 128 no. 90 p. H4109.
H J Res 533 had 197 cosponsors. In addition four other companion resolutions were introduced in the House: H J Res 529 on June 24th, H J Res 534 on July 14th, H J Res 540 on July 19th, and H J Res 544 on July 21st.

35. CR (unbound edition) 97th Cong. 2nd sess. vol. 128 no. 90 p. S8240.

See pages 4 to 7 for sample citations and explanation of how to locate documents cited.

APPENDICES

APPENDIX I: LIST OF ABBREVIATIONS

AFL/CIO. . . .	American Federation of Labor/Congress of Industrial Organization
CA	California
CIS.	Congressional Information Service, see pp. 4, 6-7.
Comm. Serial . .	Committee Serial Number, see p. 6.
Cong.	Congress, as in Number of the Congress, see pp. 2, 5-7.
CQ	Congressional Quarterly, see pp. 4, 6-7.
CR	Congressional Record, see p. 5.
D	Democrat
ERA.	Equal Rights Amendment
GPO.	U.S. Government Printing Office, see p. 5.
H	House of Representatives
H J Res. . . .	House Joint Resolution, see pp. 2-3.
H Rept	House Committee Report, see p. 7.
H Res	House Resolution, see p. 2.
IL	Illinois
IN	Indiana
Item	Item Number, see pp. 6-7.
MC	Monthly Catalog Number, see p. 6.
MI	Michigan
MN	Minnesota
NC	North Carolina
NOW.	National Organization for Women
NY	New York
p.	Page Number
pp.	Page Numbers
pt.	Part Number, as in CR, see p. 5.
R	Republican
S	Senate
S J Res. . . .	Senate Joint Resolution, see pp. 2-3.
S Rept	Senate Committee Report, see p. 7.
Serial	Serial Set Number, see p. 7.
Sess.	Congressional Session, see pp. 2, 5-7.
Stock	Stock Number, see p. 6
SuDoc	Superintendent of Documents Number, see p. 6.
TN	Tennessee
VA	Virginia
vol.	Volume Number, as in CR, see p. 5.

APPENDIX II: INDEX TO CONGRESSPERSONS

Name	Political Party and State	See Page
Abzug, Bella	(D NY)	12
Baker, Jr., Howard H.	(R TN)	10
Bayh, Birch	(D IN)	10, 12, 13, 16
Butler, M. Caldwell	(R VA)	15
Celler, Emanuel	(D NY)	9, 10, 12
Edwards, Don	(D CA)	12, 15
Ervin, Jr., Sam J.	(D NC)	10, 12, 13
Fong, Hiram L.	(R HI)	13
Garn, Jake	(R UT)	16
Griffiths, Martha W.	(D MI)	9, 10, 12
Holtzman, Elizabeth	(D NY)	15
McCarthy, Eugene J	(D MN)	10
Railsback, Tom	(R IL)	15
Scott, Bill	(R VA)	16
Wiggins, Charles E.	(R CA)	12

APPENDIX III: INDEX TO CONGRESSIONAL LEGISLATION

Legislation	Congress	Session	See Page
H J Res 208	92nd	1st	12, 13, 14
H J Res 264	91st	1st	9, 10, 11
H J Res 529	97th	2nd	22
H J Res 533	97th	2nd	19
H J Res 534	97th	2nd	22
H J Res 540	97th	2nd	22
H J Res 544	97th	2nd	22
H J Res 638	95th	1st	15, 16, 17
H Res 1295	95th	2nd	15, 17
H Res 1315	95th	2nd	15, 17
S J Res 61	91st	1st	10, 11
S J Res 134	95th	2nd	16, 17
S J Res 150	92nd	1st	12, 14
S J Res 213	97th	2nd	19
S J Res 231	91st	2nd	10, 11